

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

Baby Ray Larkin,	)	
	)	
Plaintiff,	)	C.A. No. 2:04-1607-HMH-RSC
	)	
vs.	)	<b>OPINION &amp; ORDER</b>
	)	
Jo Anne B. Barnhart, Commissioner of	)	
Social Security,	)	
	)	
Defendant.	)	

This matter is before the court on a motion for attorney’s fees and costs pursuant to the Equal Access to Justice Act (“EAJA”). See 28 U.S.C. § 2412(a), (d) (West 1994 & West Supp. 2005). Baby Ray Larkin (“Larkin”) seeks attorney’s fees for services rendered in the above-captioned social security action in the amount of Three Thousand Two Hundred Fifty Dollars (\$3,250.00) (calculated at \$125.00 per hour times 26.0 attorney hours). The Commissioner does not object to the request for attorney’s fees.<sup>1</sup>

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<sup>1</sup>Larkin initially moved for an award of attorney’s fees in the amount of Five Thousand Five Hundred Dollars (\$5,500) (calculated at \$125.00 per hour for 44 hours). However, in her response, the Commissioner asserted that upon consultation, Larkin’s attorney agreed to accept \$3,250.00.

Therefore, it is

**ORDERED** that the plaintiff is awarded a fee in the amount of Three Thousand Two Hundred Fifty Dollars (\$3,250.00).

**IT IS SO ORDERED.**

s/ Henry M. Herlong, Jr.  
United States District Judge

Greenville, South Carolina  
August 31, 2005